

06-28-01

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PTO/SB/05 (11-00)

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0032

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 728-211(YOR9-2001-0314 US1)
 First Inventor Dimitri Kanevsky
 Title Volume Regulating and Monitoring System
 Express Mail Label No. EL 918828715 US

 PTO
 09/892804
 06/27/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
 (Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
 See 37 CFR 1.27.
3. ☒ Specification [Total Pages 13]
 (preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table,
 or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Pages]
 a. ☐ Newly executed (original or copy)
 b. ☐ Copy from a prior application (37 CFR 1.63 (d))
 (for continuation/divisional with Box 18 completed)
 i. ☐ **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s)
 named in the prior application, see 37 CFR
 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

 Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
 Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
 (if applicable, all necessary)
 a. ☐ Computer Readable Form (CRF)
 b. Specification Sequence Listing on:
 i. ☐ CD-ROM or CD-R (2 copies); or
 ii. ☐ paper
 c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [Power of Attorney]
 (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure [Copies of IDS]
 Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
 (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
 (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122
 (b)(2)(B)(i). Applicant must attach form PTO/SB/35
 or its equivalent.
17. ☒ Other: Associate Power of Attorney

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,
 or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: _____

Prior application information:

Examiner _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under
 Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.
 The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name Paul J. Farrell, Esq.
 Address DILWORTH & BARRESE, LLP
 333 Earle Ovington Blvd.
 City Uniondale State New York Zip Code 11553
 Country U.S.A Telephone (516) 228-8484 Fax (516) 228-8516

Name (Print/Type) PAUL J. FARRELL Registration No. (Attorney/Agent) 33,494
 Signature [Signature] Date June 27, 2001

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope
 as "Express Mail Post Office to Addressee" Mail Label Number EL 918828715US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington,
 D.C. 20231.

Dated: June 27, 2001

 [Signature]
 Douglas M. Owens

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 898.00

Complete if Known

Application Number	Not yet assigned
Filing Date	June 27, 2001
First Named Inventor	Dimitri Kanevsky
Examiner Name	
Group Art Unit	Not yet assigned
Attorney Docket No.	728-211 (YOR9-2001-0314 US1)

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-0510/IBM (Yorktown Heights)

Deposit Account Name IBM (Yorktown Heights)

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	\$710.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 710.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
26	-20** = 6	18	\$108
4	-3** = 1	80	\$80
Multiple Dependent Claims		270	0

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 188.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type) Paul J. Farrell

Signature

Paul J. Farrell

Registration No. (Attorney/Agent)

33,494

Complete (if applicable)

Telephone (516) 228-8484

Date

June 27, 2001

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL918828715US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Dated: June 27, 2001

Douglas M. Owens
Douglas M. Owens

Washington, D.C. 20231

Sir:

Date: June 27, 2001Express Mail Label: EL 918828715 USDate of Deposit: June 27, 2001

Transmitted herewith for filing is the Patent Application of:

Inventors: **DIMITRI KANEVSKY, WLODEK W. ZADROZNY and SARA H. BASSON**For: **VOLUME REGULATING AND MONITORING SYSTEM**Enclosed are: ☒ 7 sheets of specification; ☒ 1 sheet(s) of Abstract;
☒ 5 sheet(s) of claims; ☒ 3 sheet(s) of drawing(s);☐ An assignment of the invention to International Business Machines Corporation with Recordation Form.☐ Declaration and Power of Attorney.☐ A certified copy of a _____ application, from which priority under Title 35 USC §119 is claimed.☒ Associate Power of Attorney.

The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	26 -20 =	6
INDEP CLAIMS	4 -3 =	1
MULTIPLE DEPENDENT CLAIMS PRESENTED		

OTHER THAN A
SMALL ENTITY

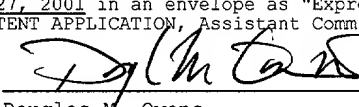
RATE	FEE
	\$ 710.00
X \$18 =	108.00
X \$80 =	80.00
+ 270 =	
TOTAL	\$ 898.00

If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

☐ A check in the amount of \$ _____ to cover the ☐ filing fee(s) and a check to cover the ☐ recording fee are enclosed.☒ Please charge my Deposit Account No. 50-0510 in the amount of \$ 898.00.☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0510/IBM (Yorktown Heights). A duplicate copy of this sheet is enclosed.☒ Any additional filing fees required under 37 CFR 1.16.☒ Any patent application processing fees under 35 CFR 1.17.

Respectfully submitted,

By:

Paul J. Farrell
Registration No. 33,494**Please address all
correspondence to:**DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, NY 11553
Tel: (516) 228-8484
Fax: (516) 228-8516Attorney for:
IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, NY 10598**CERTIFICATION UNDER 37 C.F.R. § 1.10**I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date June 27, 2001 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828715 US addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Box PATENT APPLICATION, Washington, D.C. 20231.
Douglas M. Owens

PATENT

Atty. Docket No. 728-211 (YOR9-2001-0314 US1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. § 1.76

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): DIMITRI KANEVSKY, WLODEK W. ZADROZNY and
SARA H. BASSON

For: VOLUME REGULATING AND MONITORING SYSTEM

Enclosed are:

- [X] 13 page(s) of specification
(including **claims** and **abstract**)
- [X] 3 sheets of drawings [] formal [X] informal
- [X] _____ page(s) of Declaration and Power of Attorney
- [X] _____ page(s) An Assignment of the invention
(including **Recordation Form Cover Sheet**)
- [X] 1 page(s) Associate Power of Attorney

Assignee Name: INTERNATIONAL BUSINESS MACHINES CORPORATION

Assignee Residence: Armonk, New York

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date June 27, 2001 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828715 US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Douglas M. Owens

(Type or print name of person mailing paper)



(Signature of person mailing paper)

[] This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s):

APPLICATION NO(S):

FILING DATE

___/___/___

___/___/___

[] Certified copy of applications

Country

Appln. No.

Filed

from which priority under Title 35 United States Code, § 119 is claimed

[] is enclosed.

[] will follow.

[X] Address all future correspondence to:

Paul J. Farrell, Esq.
DILWORTH & BARRESE LLP
333 Earle Ovington Boulevard
Uniondale, New York 11553
(516) 228-8484

Date: June 27, 2001



SIGNATURE OF ATTORNEY

Paul J. Farrell

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